



Senate

General Assembly

File No. 21

February Session, 2008

Substitute Senate Bill No. 216

Senate, March 12, 2008

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MINORS IN THE WORKPLACE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 31-23 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) Notwithstanding the provisions of subsection (a) of this
5 section, a minor who has reached the age of fourteen may be employed
6 or permitted to work as a caddie or in a pro shop at any municipal or
7 private golf course, and a minor who has reached the age of fifteen
8 may be employed or permitted to work in any mercantile
9 establishment, [from September 30, 2002, to September 30, 2007,
10 inclusive,] as a bagger, cashier or stock clerk, provided such
11 employment [shall be] is (A) limited to periods of school vacation
12 during which school is not in session for five consecutive days or more
13 except that such minor employed in a retail food store may work on
14 any Saturday during the year; (B) for not more than forty hours in any

15 week; (C) for not more than eight hours in any day; and (D) between
 16 the hours of seven o'clock in the morning and seven o'clock in the
 17 evening, except that from July first to the first Monday in September in
 18 any year, any such minor may be employed until nine o'clock in the
 19 evening. (2) (A) Each person who employs a fourteen-year-old minor
 20 as a caddie or in a pro shop at any municipal or private golf course
 21 pursuant to this section shall obtain a certificate stating that such
 22 minor is fourteen years of age or older, as provided in section 10-193,
 23 and (B) each person who employs a fifteen-year-old minor in any
 24 mercantile establishment pursuant to this subsection shall obtain a
 25 certificate stating that such minor is fifteen years of age or older, as
 26 provided in section 10-193. Such certificate shall be kept on file at the
 27 place of employment and shall be available at all times during business
 28 hours to the inspectors of the Labor Department. (3) The Labor
 29 Commissioner may adopt regulations, in accordance with the
 30 provisions of chapter 54, as the commissioner deems necessary to
 31 implement the provisions of this subsection.

32 Sec. 2. (*Effective from passage*) Notwithstanding the provisions of
 33 subsections (a) and (b) of section 31-23 of the general statutes, in effect
 34 prior to the effective date of section 1 of this act, any minor who
 35 reached the age of fifteen and was employed, on or after October 1,
 36 2007, as a bagger, cashier or stock clerk shall be deemed to have been
 37 lawfully employed, provided such employment was in accordance
 38 with the provisions of subparagraphs (A) to (D), inclusive, of
 39 subdivision (1) of subsection (b) of said section 31-23. Any person who
 40 employed such minor shall not be deemed (1) to have violated the
 41 provisions of subsection (a) of said section 31-23, or (2) subject to the
 42 penalties of section 31-15a of the general statutes or section 31-69a of
 43 the 2008 supplement to the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-23(b)
Sec. 2	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In section 2, the tense of verbs was changed for clarity.

LAB *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Labor Dept.; Attorney General	GF - Revenue Loss	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a minimal revenue loss. The law regarding the conditions under which 15 year-old minors can be employed sunset on September 30, 2007. By removing the expired sunset, a mercantile establishment cannot be fined for employing a 15 year-old as a bagger, cashier, or stock clerk provided they follow certain work-hour restrictions. The bill also exempts employers from any fines incurred for employing a 15 year-old after the September 30, 2007 sunset, provided the employer did not violate other restrictions that apply to employing minors.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the enforcement of criminal and civil penalties.

OLR Bill Analysis**SB 216*****AN ACT CONCERNING MINORS IN THE WORKPLACE.*****SUMMARY:**

This bill permits 15-year olds to be employed as baggers, cashiers, or stock clerks in retail businesses under certain work-hour restrictions. It permits them to work:

1. only when school is not in session for at least five consecutive days, except that they may work in retail food stores on any Saturday;
2. for up to eight hours a day or 40 hours a week; and
3. between 7 a.m. and 7 p.m., except that from July 1 to the first Monday in September, they may work until 9 p.m.

These are the same conditions under which 15-year olds were allowed to work under a prior law that expired on Sept. 30, 2007.

The bill also retroactively makes lawful the employment of 15-year olds in retail after the sunset date if the employer met the applicable work day and hour restrictions before the provision expired. It specifically exempts employers from the criminal and civil penalties that exist for such violations.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 0 (02/28/2008)

